

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

Department of Health  
Office of Adjudication and Hearings  
825 North Capitol Street N.E., Suite 5100  
Washington D.C. 20002

DISTRICT OF COLUMBIA  
DEPARTMENT OF HEALTH  
Petitioner,

v.

LARRY F. McNAIR  
Respondent

Case No.: I-00-60001

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**FINAL ORDER AND JUDGEMENT**

This case arises from a Notice of Infraction issued under the Civil Infractions Act charging the Respondent with misrepresentation regarding authorization to practice a health occupation, a violation of D.C. Code § 2-3310.2. The relevant statute states that “[u]nless authorized to practice a health occupation under this chapter, a person shall not represent to the public by title, description of services, methods, or procedures, or otherwise that the person is authorized to practice the health occupation in the District.”

Respondent filed an answer in the above-captioned matter by a timely plea of Admit with Explanation pursuant to D.C. Code § 6-2712. The Office of Adjudication and Hearings received the foregoing on January 18, 2000.<sup>1</sup> By this plea, Respondent admitted his liability but sought a suspension or reduction of the applicable fine. The Respondent failed, however, to provide any written explanation to support his request. The requirement of supporting evidence is clearly explained on side two of the Notice of Infraction which states in part that “[f]ailure to submit sufficient relevant evidence of mitigating circumstances may result in a failure to obtain any reduction or suspension of the fine.” For this reason, and because there is no record on which the

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<sup>1</sup> At the same time, the Office received the Respondent’s answer and plea of Admit to the charge of unlicensed practice of dentistry.

Office can conclude that a reduction or suspension of fine is warranted, there will be no adjustment to the scheduled fine of \$500.00.

Therefore, upon consideration of Respondent's having failed to offer any explanation in support of his plea of Admit with Explanation and request for reduction or suspension of the fine, and upon the entire record in this case, it is this \_\_\_\_ day of \_\_\_\_\_, 2000, hereby:

**ORDERED**, that Respondent is liable for above captioned infraction and there shall be no adjustment or suspension of the fine, and it is further

**ORDERED**, that a judgment in the amount of **FIVE HUNDRED DOLLARS (\$500)** shall be entered against the Respondent and shall be paid in accordance with the attached instructions within 15 calendar days of the date of mailing of this order.

/s/      **2-7-00**

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Chief Administrative Law Judge  
Office of Adjudication and Hearings